

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JAVIER PEREZ,

Plaintiff,

v.

TOM DART,

Defendant.

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Case No. 16 C 8711

MEMORANDUM ORDER

This Court's September 12, 2016 memorandum order ("Order") identified a number of deficiencies in the submissions tendered by pro se prisoner plaintiff Javier Perez ("Perez") in his effort to "file an action against Cook County Sheriff Tom Dart based on assertedly unconstitutional living conditions to which he was subjected while a pretrial detainee at the Cook County Jail." After explaining those deficiencies, the Order concluded by stating:

In summary, Perez must supplement his original filings on or before September 26, 2016 with each of the following:

1. any documentation that reflects his having complied with the Section 1997e(a) precondition to suit; and
2. the trust fund account statements referred to earlier in this memorandum order.

If Perez cannot provide the information called for in the first of those respects, this Court will be compelled to dismiss both the Complaint and this action without prejudice.

Since then silence has descended, although this Court has waited for a few days past the September 26 deadline to allow for the possibility that Perez might have committed his response to the United States mails by that deadline date. Because that does not appear to have taken place, Perez' Complaint and this action are indeed dismissed without prejudice in accordance

with the forewarning contained in the Order. That renders his Motion for Attorney Representation (Dkt. No. 4) moot, and it is denied on that ground. As for the information missing from his In Forma Pauperis Application (Dkt. No. 3) as called for by 28 U.S.C. § 1915, this Court will perforce look to its own staff to obtain that information to enable this Court to carry out its responsibilities under that statute.

A handwritten signature in black ink, reading "Milton I. Shadur". The signature is written in a cursive, flowing style.

Milton I. Shadur
Senior United States District Judge

Date: September 29, 2016